

**Town of North Smithfield Planning Board
Kendall Dean School, 83 Green Street
Thursday, May 16, 2013, 7:00 PM**

The Chair called the meeting to order at 7:08 pm.

1. Roll Call

Present: Chair Dr. Lucien Benoit, Mali Jones, Dean Naylor, Gene Simone. Absent: Art Bassett and Kerri Tunnicliffe. Also present were Town Planner Robert Ericson and Town Solicitor James Lombardi.

2. Approval of Minutes: May 2, 2013

Ms. Jones raised concern regarding the Carey subdivision and the driveway leading to C3. Mr. Naylor suggested the driveway for C3 exit on frontage for C3.

Mr. Ericson referenced the section under the discussion of the Navigant Credit Union land development project where he explained the reason behind applicants coming back to the Planning Board with final plans when that is not required. Mr. Ericson would like to strike that section and simply state that the 2006 final plan was mistakenly signed. Applicants are not required to come back to the Planning Board with the final plan.

Mr. Simone made a motion to approve the minutes of May 2, 2013, as corrected. Chairman Benoit seconded the motion and a vote was taken. Vote; yes, Chairman Benoit and Mr. Simone, Nay, Ms. Jones and Mr. Naylor. Motion did not pass and minutes were not approved.

Mr. Lombardi stated his findings in response to a request for his opinion on whether the Planning Board can require an applicant with Preliminary Plan approval to return to the Planning Board for Final Plan approval. Mr. Lombardi's opinion was the final plan does not come back before the full board unless it does not meet the requirements set by local regulations or by the Planning Board at preliminary approval and that the town planner makes that decision. He has certified that the requirements were fulfilled and that leaves the plans to be signed by either the chairman or the secretary of the Board. By not signing the Planning Board is unnecessarily delaying the process and opening the Board to liability.

Mr. Lombardi thanked Mr. Simone for signing the Navigant final plans and allowing the process to move forward.

The next item on the agenda was a discussion of Walgreens Pharmacy but all participants are not present so Attorney Noonan asked to postpone until the client arrives. Mr. Ericson suggested the Board do the Capital Budget because it is the shorter of the two remaining agenda items.

Mr. Naylor made a motion to amend the agenda for Thursday, May 16, 2013 to move item 3 discussion of Walgreen Pharmacy and replace it with item 5, the Capital Budget discussion. Ms. Jones seconded with all in favor.

5. Capital Budget: Discussion, vote or other action on capital budget items for Police Department, Public Works, Parks and Recreation, and School Department

Mr. Ericson read an email from DPW director Ray Pendergast requesting to purchase a new truck for the highway department. Mr. Pendergast states a truck of this size has not been purchased since 2005. The Planning Board has received information on the existing fleet and the years of the trucks dating back to 1991. The line item in the operational budget for replacement parts/maintenance of trucks is \$60,000 which is spent each year and the amount needed has increased because of continuous repairs. Mr. Pendergast states that every year he has to sideline trucks because the budget does not allow them to be repaired.

Mr. Pendergast said that in the future, financial software will be purchased to track funds used for repairs and replacement parts as well as labor associated with the repairs. He believes that if we don't replace the aging trucks, it will cost the town more in the future. Mr. Ericson confirmed that the Town is purchasing Facilities Dude to be used by departments for financial tracking and work order

processing. Chairman Benoit asked the Board if there were any additional comments and there were none.

Mr. Ericson continued with the \$90,000 line item for lighting for the field used by the North Smithfield Little League girls softball team. Presently the girls Little League teams play on the Pacheco Park field where there are no lights. The boy's baseball team plays on a field where there are lights. The girl's games begin after 6:00 pm and they often finish their games in the dark while the boys continue to play under the lights on their field. Fall exacerbates the problem because of decreased daylight hours. The girls comprise 25% of the 400 registered little league players.

Musco lighting offers incentives for communities and leagues to help purchase, finance and install state of the art light fixtures. Musco will provide focusable lights with shades to virtually eliminate light spillage to neighboring areas. The \$90,000 light project will allow the girls to play safely into the night as the boys do.

Chairman Benoit made a motion to spend the \$90,000 on lighting the girls field. Ms. Jones asked if noise mitigation is included in the \$90,000 and whether this should be considered. Noise mitigation is not included in the lighting project. Mr. Ericson suggested the use of evergreen trees and recommended that Mr. Pendergast meet with the neighbors and get their input on the noise level. Ms. Jones seconded the motion to spend the \$90,000 for the lighting project. Mr.

Naylor asked who controls the lights at Pacheco Park and the tennis courts, and if the lights being left on when the field/court is vacant is energy efficient. Mr. Ericson stated that the lights are controlled by DPW and may be on a demand charge. They could possibly be managed better. A vote was taken and the motion passed with all in favor.

Police Capital Budget:

Police are asking for a copy machine immediately. Of three vendors, they would prefer to go with the vendor with the highest price, \$6400 from Bay Business. Mr. Ericson suggested the police department provide justification for going with the highest bidder. Mr. Simone made a motion that the police department follow the budget process in requesting a copy machine. Mr. Naylor seconded with all in favor.

The Police Department is also asking for another automobile. Two of the cruisers have been totaled. One is being paid for through insurance and the other from an account funded from police car rentals at construction sites. Chairman Benoit questioned why flaggers are not utilized and Mr. Ericson explained the death risk for flaggers on high speed roadways. The Board has not received any mileage information that justifies buying a new car. Ms. Jones stated that more information is needed to make this decision such as mileage and the definitions of terms fair, poor, and good used in previously describing the conditions of the vehicles. Chairman Benoit concurred. Ms. Jones made a motion that more information is

needed before deciding on funding a third cruiser for the police department. Mr. Simone seconded with all in favor.

School Department Capital Budget:

Mr. Naylor made a motion that there is no information to render a decision. Mr. Simone seconded with all in favor.

3. Walgreen's Pharmacy: Major Land Development Master Plan with Public

Hearing

Owner/Applicant: Mars Enterprises LLC/Arista Development LLC

Location: Eddie Dowling Hwy & Park Ave

Assessor's Plat 21, Lots 33 & 66

Zoning: BH (Business Highway)

A stenographer was present for the Walgreens presentation. Attorney Elizabeth Noonan was present for the applicant and explained the following. This project merges two existing lots into one 1.96-acre lot to build a 14,890 square foot Walgreens. The lot conforms to all dimensional regulations. Signage may still be an issue but it will be resolved as the approval process progresses. The applicant is seeking Master Plan approval. Professional Engineer Josh Swerling of Boehler Engineering presented the Master Plan and was available to answer the Board's questions on engineering issues.

Mr. Swerling explained what was included in the Master Plan

including proposed closing of the three existing curb cuts for the construction of the Walgreens with 53 parking spaces. The plan addresses previous issues with the left turn out onto Eddie Dowling Highway. He suggests the engineers meet with the fire department and state representatives to discuss the plan for Eddie Dowling Highway. Mr. Swerling noted there will be curbing along the rear driveway for the drive-through. Additional information required for the Master Plan is in the plan set including: (1) a generally 12-foot grade differential between the intersection and Stop & Shop gas station (2) a 10 foot (at highest point) wall in front perimeter

(3) Woonsocket Water utility

(4) sewer-pump that pumps to Woonsocket, draining to a manhole in back of Stop & Shop

(5) drainage that will continue the way it is, to the rear of Stop and Shop

(6) two-way traffic in front of the store, one-way traffic at drive-thru and delivery

(7) limited stormwater management infrastructure for collection and conveyance, putting in catch basins, connecting to pipe that will discharge in back of Stop and Shop

(8) snow storage to be addressed in preliminary plan

(9) need for physical alteration permit from RIDOT

(10) RIDOT may adjust schedule for Eddie Dowling Hwy work to coincide with Walgreens schedule.

Chairman Benoit asked if there is contaminated soil, or brownfields at

the site. Mr. Doug Benoit from Arista Development was present to answer questions. He stated that a Phase I Environmental Assessment was completed. There was contamination at the site before the gas station was closed 10 years ago. The state ordered a “no further action” letter. Arista is considering doing further testing. The state considers this matter closed. Chairman Benoit asked if the contaminated area will be covered with asphalt, therefore capping the problem and if there will be areas such as landscaped areas (not capped) that may present problems. Mr. Benoit answered negative, there are no areas that will need to be addressed. This information will be presented in the Preliminary Plan.

Chairman asked if Walgreens was using an E1 grinder pump for the sewer, and if it can be put under landscaping instead of asphalt for easy maintenance. Mr. Swerling said it will be addressed in the Preliminary Plan.

Chairman Benoit asked where the nearest fire hydrant was and if there will be a Y at the corner of the nbuilding. Mr. Benoit said it would be either a Siamese or some type of fire dept connection.

The next witness was Paul Bannon, a professional engineer with RAD Professional Engineers. Mr. Bannon participated in the traffic impact study in March 2013 with Arista Development and Boehler Engineering. The study consisted of numerous site visits at various times of the day and various days of the week. They inventoried the

project area and conducted traffic counts at the major intersection weekdays and weekends, peak and off-peak. Mr. Bannon detailed the results of the traffic study. It was determined that the timing of the lights at the intersection of Park Avenue and the Stop and Shop driveway is inefficient. Mr. Bannon concluded that there is adequate and safe access to the proposed Walgreens pharmacy and he recommends traffic light optimization at Park Square and Eddie Dowling Highway. The traffic study was summarized in further detail and can be found in the traffic study distributed to the Planning Board members.

Ms. Jones voiced concern for traffic travelling north on Eddie Dowling Highway and turning left into the Walgreens front entrance before the traffic light. These travelers will cross two lanes of on-coming traffic. She asked if these cars should continue to the light and turn left at that intersection. Mr. Bannon stated that there is a refuge area, left turn only lane, on Eddie Dowling Highway in which cars will wait to turn left into Walgreens. It would cause the light to be less efficient if those cars were unable to turn left before the light.

Discussion ensued regarding the inefficiencies of the traffic light at Park Avenue and Eddie Dowling Highway. There are plans for RIDOT to review the intersection and optimize the traffic light.

Chairman Benoit asked about the signage to be used for Walgreens. Mr. Bannon answered that signage will be addressed in the

Preliminary plan approval stage. There will be pavement markings indicating right-turn-only out of the front parking lot onto Eddie Dowling Boulevard.

Mr. Ericson had some questions regarding mountable curbs and the differentiation between the drive-through lane and the delivery lane. Mr. Swerling will make changes to the plan to allow differentiation between the lanes. Mr. Swerling will consult with fire department and RIDOT for channelization recommendations.

Witness number three was Steve Mossier, the architect for Walgreens. Mr. Mossier has designed 100 Walgreens store and has visited the North Smithfield site. He has reviewed the town guidelines. The building will be two-story, the second story to be used for store and support with no customer access. The building will be fireproof, have a steel roof and full fire protection and detection. It will be handicapped accessible. The design has incorporated New England materials where possible. Materials will be recycled and locally sourced. The building will have 25% more insulation than required and use high-efficiency glass. The air conditioning system will be high efficiency and there will be an open ceiling. The finishes are polished concrete and paint with no VOCs. The heat system will use gas.

Mr. Naylor asked if the Walgreens proposed signage met the town regulations. Ms. Noonan stated that signage has not been finalized

and will be going before the Zoning Board.

Mr. Naylor asked about LEED certification. Mr. Mossier communicated that there will not be a LEED certification because of the expense associated.

At 8:36 p.m. Chairman Benoit opened the public hearing for Walgreens. There were no comments from the audience and the public hearing was closed at 8:36 p.m.

Mr. Simone made a motion to approve the Master Plan for Walgreens with the following conditions:

- Right exit only onto 146A**
- Discussion with fire department and DOT**
- Rear entry for trucks – access road**
- Potential environmental issues from former Mobil side**

Mr. Naylor seconded with all in favor.

Chairman Benoit made a motion to take a three-minute recess. Mr. Naylor seconded with all in favor.

Meeting reopened at 8:47 pm.

4. Zoning Ordinance Section 17 review: Discussion, vote or other action under local Charter and ordinance regarding recommendations

for changes to the Town Council.

Mr. Ericson explained the documents pertaining to section 17, red typeface being new text language, crossouts being old text. The Town Council has requested this format for their review of section 17 in the first reading. The second reading document will include additional colored fonts representing recommendations from the Planning Board. The second reading for the Zoning Ordinance will probably occur after the budget is approved.

Chairman Benoit has a record of the recommended changes to section 17 for discussion. Mr. Ericson began the discussion with the creation of a Technical Review Committee to handle new projects less than 5000 square feet. As an example of the use of a Technical Review Committee (TRC), Navigant would have gone to the TRC, then to the Planning Board, with no public hearing. The use of the TRC would eliminate the extended multi-stage project process. The TRC would be for gathering people together such as the building inspector, planner, DPW director, engineer, fire marshal and tax assessor to bring different viewpoints about new projects less than 5000 square feet. The TRC would then make a recommendation to the Planning Board.

Ms. Jones suggested that in the case of Navigant, if the town were using a TRC there would be no chance for public comment because there would be no public hearing. Ms. Jones stated that residents

deserve the right to gather information and comment on developments such as Navigant. Mr. Ericson agreed with Ms. Jones.

Mr. Ericson went on to explain that an advantage to using a TRC is the ability to share information on what is being developed in town. If the Town Council votes to not have the TRC make recommendations to the Planning Board, the TRC will be a consulting body with no authority. The TRC meetings could include other useful resources such as member of conservation committee, sewer administrator or others when needed. Discussion ensued about who should serve on the TRC and who would determine when different participants were needed. Ms. Jones and Chairman Benoit thought that the TRC should provide advisory opinions to the Planning Board.

The Board is in agreement that the advisory committee should be advisory only. Bob will write up the Planning Board discussion and present it at the next Town Council public hearing.

Chairman Benoit had policy issue edits to section 17.3.1 including ridgeline construction. Ms. Jones would like to have time to review the edits before this is discussed especially ridgeline construction. The Chairman will critique what Mr. Ericson puts together. Chairman Benoit disagrees with preserving ridgelines as they can be used for businesses. Mr. Naylor asked if allowing building on ridgelines is in compliance with the Comprehensive Plan. Ms. Jones agreed but needs more time and information before rendering an opinion.

Mr. Ericson explained the sequence of events leading up to the creation of Section 17. The Comprehensive Plan addressed these issues, and Section 17 emanated from the Comprehensive Plan, as did article 5 of the Subdivision Regulations. Article 5 was approved first and then Section 17 almost passed in 2006, but did not. Section 17 was entered into the current Zoning Ordinance book, but because it was not passed, it does not exist in the codified version of the Code of Ordinances.

Chairman Benoit inquired about the existence of obsolete billboards. The signs section of the Zoning Ordinance addresses this but the ordinance is not enforced by the building inspection department.

6. Planning update: Summary of new developments with Dowling Village, planned bridge work, applications in process, trail development, and meetings schedule. Discussion concerning Dowling Village traffic, Johnson Controls system and the importance of management tracking.

There will be a May 28 meeting at RIDOT to finalize the design for the Stone Arch Bridge. Bridgestone Firestone will be moving into Dowling Village.

7. Adjournment

Mr. Naylor made a motion to adjourn at 9:20 pm. Mr. Simone seconded with all in favor. The next Planning Board meeting will be

June 20, 2013.

Submitted by Bobbi Moneghan, July 8, 2013